



TOWN OF UXBRIDGE
CONSERVATION COMMISSION
21 SOUTH MAIN STREET
UXBRIDGE, MASSACHUSETTS 01569
508-278-8600, ext 2019

MEETING MINUTES

January 4, 2011

FEB 23 11 AM 10:32



Please note some items may have been taken out of agenda order.

Minutes of the Uxbridge Conservation Commission regular meeting held on **Tuesday, January 4, 2011**, at 7:00 P.M. in the Board of Selectmen's Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA:

Conservation Commission Board Members Present: Chair Al Jones, Harold Klei, Larry Lench, Dave Lewcon and Michael Potaski

Conservation Commission Board Members Absent: Russell Holden

Others present: Donna C. Hardy, Conservation Commission Administrative Assistant

OLD BUSINESS

Public Hearings

DEP #312-920, NOI, Uxbridge DPW on 308 Quaker Hwy (Map 35, Parcel 4474) – Construction of a 40'x34' water pump station and appurtenances, approximately 1700 linear feet of cross-country water main and appurtenances, approximately 1700 linear feet of paved bituminous concrete access road and approximately 1700 linear feet of overhead electrical lines associated with the approved public water supply well at the Rosenfeld site. Ms. Stephanie L. Tavares with Tata & Howard, Inc. was present and spoke on behalf of the applicant. Ms. Tavares provided documents to the Commission concerning whether or not a gravel surface roadway vs. a bituminous surface roadway should be applied on driveway. Following discussion, **MOTION** by Mr. Klei to close the Public Hearing for DEP #312-920, NOI, Uxbridge DPW and to issue a standard Order of Conditions with one (1) Special Condition including: Entrance to be a bituminous surface roadway. Seconded by Mr. Potaski, the motion carried 4-1-0.

OLD BUSINESS:

Violations/Potential Violations:

26 Boston Street (Map 12 B, Parcel 2945) - No new discussions at this meeting. The Commission shall continue discussions at the January 18, 2011 scheduled meeting.

175 Henry Street (Map 20, Parcel 3627) – A site visit to be conducted by Mr. Lewcon and Mr. Klei. The Commission shall continue discussions at the January 18, 2011 scheduled meeting.

Henry Legg Road/West River Road (Map 13 & 19, various parcels) – Mr. Lewcon discussed this violation. Three (3) lots were conveyed to the Conservation Commission. Lot 1 and Lot 2 are along West River Road, Henry Legg Road and Harvest Road for conservation, passive and limited recreational uses. Lot 3 is completely all wetlands or swamp and recently has been used as a dumping site. Mr. Lewcon believes a declaration has to be made stating who owns these properties. Access to the dumping area of Lot 3 should be encumbered and signage prohibiting dumping should be displayed. To deter encroachment from neighbors naturalizing plantings should be used along the boundary of Lots 1 and 2. Mr. Klei suggested sending a letter to abutters advising land is town owned property through the Conservation Commission and to refrain from yard waste disposal. Mr. Lewcon shall work with the Worcester Sheriff's Department to inquire if they are able to make a few signs. Following discussion, **MOTION** by Mr. Lewcon to allow taking measures to protect Lots 1,

2 & 3 (Harvest Run development) as necessary. Seconded by Mr. Klei, the motion carried unanimously. The Commission shall continue discussions at the January 18, 2011 scheduled meeting.

Waucantuck Mill (Map 20, Parcel 1749) – On December 30, 2010, Mr. Mark Baldi, Section Chief for the Audits Bureau of Waste Site Cleanup with MA-DEP sent an email providing Immediate Response Action (IRA) Status report and the Third Amendment to Administrative Consent Order with deadlines.

On January 4, 2011, Mr. Robert Josephs with Uxbridge Associates sent an email to inform that clean-up has been proceeding in accordance with plans, albeit a bit more slowly than we would like due to difficult market/financial conditions. Mr. Joseph's consultants have been handling the effort in compliance with Massachusetts law.

Mr. Potaski commented about the taxes and liens inquiry for this property. The agreement that Town Manager Kleeper negotiated with Mr. Joseph's is too convoluted for words. In discussion with the Finance Director and Town Manager, one cannot reinstitute the taxes and the liens. However, there are other potential remedies that may to be done. Mr. Potaski also inquired about the 1 to 1 ½ foot black snow fence around property site. CMG Associates placed a safety/snow fence around the perimeter of the property. MA-DEP is aware of the situation and will be handling any future further enforcement actions.

Douglas Street near Summerfield at Taft Hill Manor (Map 23, Parcel 4435) - Mr. Gerald Lambert, a resident on 446 Douglas Street came forward to provide additional pictures of property site. Mr. Klei did a site visit and could not determine where the water is coming from. The Commission shall do additional site visits at the property. The Commission shall continue discussions at the January 18, 2011 scheduled meeting.

4 Albee Road (Map 40, Parcel 2432) – Mr. Holden conducted a site visit. Ms. Hardy provided a report received from Mr. Holden. Mr. Holden advised that a few of the pictures provided indicate that the debris may be in the pond. During the site visit, Mr. Holden observed that the debris is not located directly in the pond. Most of the debris appears to be branches. However, there was too much snow on the ground to indicate if there was other debris at the site. The resident informed Mr. Holden that the Commission members can come on the property at any time and conduct a future site visit. The Commission shall continue discussions at the January 18, 2011 scheduled meeting.

Other:

107 Old Millville Road (Map 35, Parcel 4648) – A Request for Determination of Applicability application shall be presented at the next meeting. The Commission shall continue discussions at the January 18, 2011 scheduled meeting.

NEW BUSINESS:

Public Hearings ~ none

Violations/Potential Violations ~ none

MOTION by Mr. Klei to move DEP #763, Request for Certificate of Compliance for 76 Rockmeadow Road, Lot #4 and DEP #312-702, Request for Certificate of Compliance for 524/530 Blackstone Street out of order.

DEP #312-763, Request for Certificate of Compliance – 76 Rockmeadow Road, Lot 4 (Map 14, Parcels 624, 654 & 557) – Single family, septic system, well & associated grading. Mr. Barry Smith, resident at site came forward to discuss. Following discussion, **MOTION** by Mr. Klei to issue a full Certificate of Compliance, subject to a successful site visit. Seconded by Mr. Potaski, the motion carried unanimously.

DEP #312-702, Request for Certificate of Compliance – 524/530 Blackstone Street (Map 35, Parcel 163) – Single family, septic system, well & associated grading. Ms. Maria Santoro, resident at site came forward to discuss. Following discussion, **MOTION** by Mr. Potaski to issue a full Certificate of Compliance, with no negative site visit results. Seconded by Mr. Klei, the motion carried unanimously.

MINUTES. MOTION by Mr. Potaski for the December 6, 2010 Meeting Minutes, as amended and make changes with four (4) amendments. Seconded by Mr. Klei, the motion carried 4-0-1.

Pout Pond/Legg Farm – Mr. Lewcon wrote a letter requesting the Commission send to all civic organizations and churches in Uxbridge for an invitation to use Pout Pond for all their events. Mr. Lewcon will also be submitting a letter to the Worcester Sheriff's department to thank the department for all of their help at Pout Pond. Additional discussions included the rest area off of West River Road, past the Pout Pond entrance. It appears that this area is being used as a "town dump", including Christmas trees being dumped at the property. The general consensus is that access to what is referred to as the rest area should be encumbered in order to deter illegal dumping. Suggestions include jersey barriers or naturalizing done on the property. The Commission members received a document on December 29th from the Commonwealth of MA, Division of Fisheries & Wildlife concerning Legg Farm/Pout Pond Conservation area, which addressed future Conservation Commission goals for Legg Farm/Pout Pond. Lastly, discussions included needing more community involvement at Pout Pond. Mr. Lewcon has extended himself to Pout Pond and needs things to change at Pout Pond regarding involvement such as maintaining the gate. Mr. Lewcon inquired if the Police Department could possibly maintain the gates. Other suggestions included surveillance equipment at site or forming a Pout Pond Committee providing 4-6 volunteers. Also, Mr. Lewcon shall be contacting Metacomet Land Trust, Audubon Society and possibly another town's Conservation Commission to try partnering with the Uxbridge Conservation Commission to help maintain Pout Pond.

Correspondence – Ms. Hardy requested the Commission to review the FY2010 Annual Report.

MOTION by Mr. Potaski to adjourn the meeting at 9:09 P.M. Seconded by Mr. Klei, the motion carried unanimously.

Respectfully Submitted by Donna C. Hardy, Conservation Commission Administrative Assistant.

Al Jones, Chairman

Harold Klei, Treasurer

Dave Lewcon, member

Date

Russell Holden, Vice-Chair

Lawrence Lench, Clerk/Secretary

Michael Potaski, Member